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ELECTRONICALLY FILED ON:  
October 3, 2012

5 Attorneys for Defendant  
6 EDUCATIONAL CREDIT MANAGEMENT CORPORATION

7  
8 UNITED STATES BANKRUPTCY COURT  
9  
10 DISTRICT OF NEVADA

11 In re: ) Case No.: 11-13213-MKN  
12 JOHN STEVEN MIDDLETON, )  
13 Debtor. ) [Chapter 7]  
14 JOHN STEVEN MIDDLETON, )  
15 Plaintiff, )  
16 vs. )  
17 PENNSYLVANIA HIGHER EDUCATION )  
ASSISTANCE AGENCY, NORTH )  
CAROLINA STATE EDUCATION )  
ASSISTANCE AUTHORITY, UNITED )  
STATES DEPARTMENT OF )  
EDUCATION, MICHIGAN HIGHER )  
EDUCATION ASSISTANCE AUTHORITY,)  
Defendant. )  
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TO THE HONORABLE MIKE NAKAGAWA, UNITED STATES  
BANKRUPTCY JUDGE:

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1       Defendant Educational Credit Management Corporation (“ECMC”), by and  
2 through its undersigned counsel and Plaintiff John Steven Middleton (“Plaintiff”), pro  
3 se, stipulate and agree as follows:

4       1. Plaintiff executed a Federal Consolidation Loan Application and  
5 Promissory Note (the “Note”), in the sum of \$60,364.00. (Sixty Thousand, Three  
6 Hundred, Sixty-Four Dollars) disbursed on or about February 6, 2006.

7       2. Plaintiff filed a voluntary Chapter 7 petition on or about March 9, 2011.  
8 Plaintiff commenced this adversary proceeding by filing a Complaint on or about  
9 June 7, 2011.

10      3. The aggregate unpaid principal and interest due under the Note is  
11 \$100,463.30 (One Hundred Thousand, Four Hundred, Sixty-Three Dollars and Thirty  
12 Cents).

13      4. The Note, held by ECMC, which is the subject of this adversary  
14 proceeding, may be paid through an income based repayment plan with Plaintiff’s  
15 lender. It is Plaintiff’s desire to have his student loan paid through the income based  
16 repayment plan.

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1       5. Accordingly, Plaintiff has agreed to dismiss his Complaint, adversary  
2 number 11-01147-MKN, filed in case number 11-13213-MKN without prejudice.  
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IT IS SO STIPULATED.

6 DATED: October \_\_\_, 2012

7 By: \_\_\_\_\_  
8 JOHN STEVEN MIDDLETON, PRO SE

11 DATED: October 3, 2012

TIMOTHY P. BURKE & ASSOCIATES

12 By: /s/ Timothy P. Burke  
13 TIMOTHY P. BURKE, ESQ.  
14 Attorney for Defendant Educational  
15 Credit Management Corporation  
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1       5. Accordingly, Plaintiff has agreed to dismiss his Complaint, adversary  
2 number 11-01147-MKN, filed in case number 11-13213-MKN without prejudice.  
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4       IT IS SO STIPULATED.  
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6       DATED: October 2, 2012

7       By:   
8 JOHN STEVEN MIDDLETON, PRO SE

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10      DATED: October       , 2012

11      TIMOTHY P. BURKE & ASSOCIATES

12      By: \_\_\_\_\_  
13                    TIMOTHY P. BURKE, ESQ.  
14                    Attorney for Defendant Educational  
15                    Credit Management Corporation

1                   **CERTIFICATE OF SERVICE OF ANSWER**

2                   I do hereby certify that on the 3rd day of October, 2012, I mailed a true and  
3 correct copy, first class mail, postage prepaid, of the Stipulation to Dismiss  
4 Complaint Without Prejudice to the following:

5  
6                   John Steven Middleton, Pro Se  
7                   1001 Dumont Blvd., #A109  
8                   LAS VEGAS, NV 89169

9  
10                  Dated: October 3, 2012

11                  \_\_\_\_\_  
12                  /s/ Timothy P. Burke

13                  An Employee of the firm  
14                  TIMOTHY P. BURKE & ASSOCIATES